

Page 1 of 6

NP

NF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

UNITED STATES OF AMERICA) No. 08 CR 122
v.)
BARRY WARE,) Violations: Title 21, United States Code,
aka "B", "Buckethead", "Beanhead",) Section 846; and Title 18, United States
"Sweet Nuts", and Penelope;) Code, Section 2.
GREGORIO RODRIGUEZ,)
aka "George";)
GARY McDONALD,)
aka "Worm";)
DEVON TYLER,)
aka "D";)
GERALD LINDSEY,)
aka "Worm";)
KEVIN WADDELL,)
aka "KK", "Benny", and "Soda Pop");)
TERRY PETEN,)
aka "T" and "Marv";)
MELVIN HOLMES;)
JERMAINE McCANN;)
BOBBY MITCHELL,)
aka "Mitch";)
LAQUINTA MOFFETT,)
aka "LuLu", "Big Girl",)
and "Quinta";)
HOWARD BLANKENSHIP,)
aka "Fats", and)
LINNEA MASSEY,)
aka "Nay Nay")
JUDGE LEONARD MAYER
MAGISTRATE JUDGE VALDEZ

COUNT ONE

The SPECIAL FEBRUARY 2008-1 GRAND JURY charges:

1. Beginning no later than in or about January 2007, and continuing until at least on or about February 12, 2008, at Joliet, in the Northern District of Illinois, Eastern Division, and elsewhere,

BARRY WARE, aka "B", "Buckethead", "Beanhead", "Sweet Nuts", and Penelope,
GREGORIO RODRIGUEZ, aka "George",
GARY McDONALD, aka "Worm",
DEVON TYLER, aka "D",
GERALD LINDSEY, aka "Worm",
KEVIN WADDELL, aka "KK", "Benny", and "Soda Pop",
TERRY PETEN, aka "T" and "Marv",
MELVIN HOLMES,
JERMAINE McCANN,
BOBBY MITCHELL, aka "Mitch",
LAQUINTA MOFFETT, aka "LuLu", "Big Girl", and "Quinta",
HOWARD BLANKENSHIP, aka "Fats", and
LINNEA MASSEY, aka "Nay Nay",

defendants herein, did conspire with each other, and with others known and unknown to the Grand Jury, knowingly and intentionally to possess with intent to distribute and to distribute controlled substances, namely 5 kilograms or more of mixtures and substances containing cocaine, a Schedule II Narcotic Drug Controlled Substance, and 50 grams or more of mixtures and substances containing cocaine base in the form of crack cocaine, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

2. It was part of the conspiracy that defendant BARRY WARE led a drug trafficking organization (hereinafter "the WARE DTO") that obtained wholesale quantities of cocaine in the Joliet, Illinois area for resale in the Joliet, Illinois area.

3. It was further part of the conspiracy that the defendants, including BARRY WARE,

GARY McDONALD, DEVON TYLER, GERALD LINDSEY, KEVIN WADDELL, and TERRY PETEN, coordinated the purchase of wholesale amounts of cocaine on behalf of the WARE DTO, from various cocaine suppliers, including Co-Conspirator A, Co-Conspirator B, and defendant GREGORIO RODRIGUEZ.

4. It was further part of the conspiracy that defendant BARRY WARE, on behalf of the WARE DTO, caused to cook cocaine into crack cocaine and cause to repackage cocaine and crack cocaine at various locations, including the residences of LAQUINTA MOFFETT and LINNEA MASSEY, located in Joliet, Illinois, so that the cocaine and crack cocaine could be resold to others.

5. It was further part of the conspiracy that defendant BARRY WARE and defendants MELVIN HOLMES, LAQUINTA MOFFETT, LINNEA MASSEY, and other co-conspirators, acting on behalf of BARRY WARE, stored wholesale quantities of cocaine at various locations, including the residences of MELVIN HOLMES, LAQUINTA MOFFETT, and LINNEA MASSEY, located in Joliet, Illinois.

6. It was further part of the conspiracy that defendant BARRY WARE and defendants MELVIN HOLMES and LAQUINTA MOFFETT, acting at the direction of defendant BARRY WARE, regularly distributed wholesale quantities of cocaine and crack cocaine to Joliet-based customers of the WARE DTO, including defendants GARY McDONALD, DEVON TYLER, GERALD LINDSEY, KEVIN WADDELL, TERRY PETEN, MELVIN HOLMES, JERMAINE McCANN, BOBBY MITCHELL, and HOWARD BLANKENSHIP, for resale to others. The cocaine and crack cocaine was commonly "fronted" to wholesale customers, meaning the cocaine was provided to the customers with the understanding that the customers would make a complete payment for the cocaine after they resold the cocaine.

7. It was further part of the conspiracy that defendants BARRY WARE, MELVIN HOLMES, LAQUINTA MOFFETT, LINNEA MASSEY, and other co-conspirators, on behalf of the WARE DTO, collected United States Currency derived from the sale of narcotics ("narcotics proceeds") from customers of the WARE DTO in Joliet.

8. It was further part of the conspiracy that the defendants and other co-conspirators would and did conceal and hide, and cause to be concealed and hidden, the purposes of the acts done in furtherance of the conspiracy, and would and did use coded language, surveillance and counter-surveillance techniques, and other means to avoid detection and apprehension by law enforcement authorities and otherwise to provide security to members of the conspiracy;

All in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

The SPECIAL FEBRUARY 2008-1 GRAND JURY further charges:

1. The allegations of Count One of this Indictment are realleged and fully incorporated herein for the purpose of alleging forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense alleged in Count One of this Indictment,

BARRY WARE, aka "B", "Buckethead", "Beanhead", "Sweet Nuts", and Penelope,
GREGORIO RODRIGUEZ, aka "George",
GARY McDONALD, aka "Worm",
DEVON TYLER, aka "D",
GERALD LINDSEY, aka "Worm",
KEVIN WADDELL, aka "KK", "Benny", and "Soda Pop",
TERRY PETEN, aka "T" and "Marv",
MELVIN HOLMES,
JERMAINE McCANN,
BOBBY MITCHELL, aka "Mitch",
LAQUINTA MOFFETT, aka "LuLu", "Big Girl", and "Quinta",
HOWARD BLANKENSHIP, aka "Fats", and
LINNEA MASSEY, aka "Nay Nay",

defendants herein, have subjected to forfeiture to the United States, pursuant to Title 21, United States Code, Section 853(a)(1) and (2), the following property and interests: All property constituting or derived from the proceeds the defendants obtained, directly or indirectly, as a result of their violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment; and all property used or intended to be used in any manner or part to commit or facilitate the commission of said violations.

3. The interests of the defendants subject to forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, include, but are not limited to \$680,000 in United States currency representing proceeds of the narcotics distribution organization.

it is the intent of the United States to seek forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY